REMARKS

Claims 1, 2, 5, and 7-11 are pending. Request for reconsideration is respectfully requested.

STATEMENT ON SUBSTANCE OF INTERVIEW

An in-person interview was conducted with the Examiner and the Examiner's supervisor on December 17, 2004. Applicants thank the Examiner for the interview. During the interview, as indicated in the Interview Summary of December 17, 2004:

> (a)pplicant's representative asserted the differences between the claimed invention and the prior art of record. Further consideration will be given in light of the Applicant's arguments.

Arguments presented are included in the following remarks.

ITEM 3: INFORMATION DISCLOSURE STATEMENT

The current Action indicates that the:

> information disclosure statement filed 1/09/04 fails to comply with 37 CFR 1.98(a)(3) because the Japanese Patent Application No. 11-266929 has not been translated into an English language. It has been placed in the application file, but the information referred to therein has not been considered.

(Action page 2).

The Applicant's representative contacted the Examiner via telephone to request clarification in that the current Action includes Form PTO-1449 with block AG initialed indicating that Document no. JP 5067079 has been considered. The Attachment 1(g) attached to the current Action has block AE lined through the entry of "Japanese Patent Office Action dated December 11, 2003 in Japanese patent application no. 11-266929."

In reply, the Examiner stated that JP5067079 is considered as indicated and that item 3 in the current Action should have indicated that what was not considered was the Japanese Patent Office Action itself.

Applicant requests that the record reflect the same.

ITEM 6: REJECTION OF CLAIMS 1-2 AND 8-9 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG (U.S.P. 6,005,498) IN VIEW OF MATSUSHITA ELECTRIC INDUSTRIAL CO. (JP APP. PUB. NUMBER *HEI* 7-129572A) AND MILLER ET AL. (U.S.P. 5,896,321)

In contrast to the cited art, independent claims 1, 8, and 9 respectively recite a device for entering a character string into a character string processing device, a method, and a computer-readable recording medium storing a method, using claim 1 as an example, "acquiring a situation of the character string processing device that has been started or an activated program on the character string processing device; affirming a dictionary used for generating a candidate

character string or a part of such a dictionary in accordance with the situation acquired with the input situation acquiring part and designating it as a situation–optimized dictionary; a candidate character string generation part for generating and outputting an output candidate character string that is optimal for the situation in response to a character string that is entered with the input part, using the situation-optimized dictionary; a candidate character string affirmation processing part for affirming the outputted candidate character string; and an affirmed character string storing part for storing a character string that has been affirmed with the affirmation processing part in the situation-optimized dictionary designated by the situation control part under a condition that the character string is associated with the situation acquired with the input situation acquiring part, and updating the contents of the situation-optimized dictionary dynamically."

The Action concedes that Yang does not teach recited features of "a situation control part for affirming a dictionary used for generating a candidate character string and designating it as a situation-optimized dictionary" and "generating a string that is optimal for the situation using the situation-optimized dictionary." (Action at page 4). The Action also concedes that Yang and Matsushita do not teach recited features of "updating the contents of the situation-optimized dictionary dynamically." (Action at page 5).

Nevertheless, the Examiner rejects independent claims 1(and dependent claim 2) and 8-9 for obviousness under 35 U.S.C. §103(a) over Yang in view of Matsushita and Miller.

Action Incomplete And Finality Should Be Withdrawn

As discussed during the in-person interview, in traversing the rejection of claims 1 and 8-9 of the previous Office Action, Applicant argued in the Amendment filed April 13, 2004 (previous Response) that even assuming *arguendo* that Matsushita or Yang teach features as contended by the Examiner, which they do not, Applicant submits there is no reasonable expectation of success to combine Yang with Matsushita in a manner as suggested by the Examiner. Yang teaches (col. 2, lines 48-50) a "reduced" keypad entry apparatus and method for "electronic devices with reduced keypads, which have fewer keys than alphabet symbols." Matsushita describes a converter that does not include a reduced keypad.

As set forth in MPEP §707.07(f) entitled Answer All Material Traversed:

an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.

Applicant respectfully submits that the current office action is incomplete since the Examiner has not responded to the Applicant's arguments traversing the rejections, and requests the finality of the current Action be withdrawn.

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Recited Features Not Taught By Cited Art

As discussed during the in-person interview, Applicant submits that the cited art does not teach recited features including "acquiring a situation of a character processing device" and "affirming a dictionary used for generating a candidate character string or a part of such a dictionary in accordance with the situation acquired with the input situation acquiring part and designating it as a situation–optimized dictionary" as the Examiner contends.

In item 9 of the current Action, entitled Response to Arguments, the Examiner contends that Yang teaches the feature citing Yang's teachings (col. 2, lines 39-59) regarding a microprocessor taking input from a keypad and transmitting the input to the output display, and where Yang (col. 3, lines 15-17) teaches "a MENU key that allows the user to select a "pinyin entry" option." The Examiner further contends that Matsushita teaches the feature of affirming a dictionary in teaching (page 2) "selecting a special dictionary for converting input homophone strings into candidates to be converted of KANJI strings and words." The Examiner contends that Yang teaches a situation relating to a kind of device by teaching (col. 2, lines 39-59) "a keypad entry apparatus (a kind of device) to receive input from the user (situation)."

As discussed during the in-person interview the feature of a "situation" as supported by the specification is defined so that, for example,

> the "input situation" depends for example on what kind of device the character string processing device 2 is (for example, a schedule inputting device, an electronic mail inputting device, etc.), what kind of text is entered into the character string processing device 2, what the current position in the text is (for example, the "mail address" field in a mail that is being edited), and what mode the character string processing device 2 is in (in a telephone number processing device, for example, search mode, storage mode, etc.).

That is, for example a "situation–optimized" dictionary requires logically, and by definition more than a single situation or else there could not be an optimization. Here, "candidate character string generation state" means that the situation–optimized dictionary is changed "in accordance with" the situation and the method for generating candidate character strings is changed in accordance with the situation. Further, to optimize an item "in accordance" with a situation requires a possibility of more than a singular situation to exist.

Conclusion

Since the action is incomplete and features recited by claims 1-2, 8 and 9 are not taught by the cited art and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1-2, 8 and 9 allowed.

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ITEM 6: REJECTION OF DEPENDENT CLAIMS 10-11 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG IN VIEW OF MATSUSHITA AND MILLER

Dependent claims 10 and 11, respectively, recite a method and a computer-readable recording medium "wherein the situation of the character string processing device comprises at least one information selected from a group consisting of: information relating to a kind of the character string processing device information relating to a text that the character string processing device can output; information relating to a position in a text that the character string processing device; and information relating to a user inputting the character string."

In support of the rejection of claims 10 and 11, the Examiner merely contends that Yang teaches (col. 3, lines 15-17) "information relating to a user inputting the character string in as much as Yang et al. teach a "pinyin entry" option." (Action at page 5).

Applicant submits that the cited art, alone or in combination, does not teach features recited by dependent claims 10-11 of "information relating to a kind of the character string processing device information relating to a text that the character string processing device can output." (Emphasis added.)

Further the Examiner does not provide any support in rejection of these featurs.

Conclusion

Since features recited by claims 10-11 are not taught by the cited art and *prima facie* obviousness is not established, the rejection should be withdrawn and dependent claims 10-11 allowed.

ITEM 7: REJECTION OF CLAIM 5 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG IN VIEW OF MATSUSHITA, MILLER, CANON (JP App. Pub. Number *Hei* 9 (1997)-6771) AND BISHOP (U.S.P. 5,829,023)

In contrast to the cited art, dependent claim 5 recites the "affirmed character string storing part stores a storage date of an affirmed character string as a last-access date when storing the affirmed character string, the date when a character string that is already stored is accessed is used to change the last-access date, and the last-access date is used when the candidate character string generation part generates the output candidate character string."

The Action concedes that Yang, Matsushita, and Miller do not teach recited featurs of "storing a last-access date of an affirmed character string when storing the string" and "using the last-access date when generating the output candidate character string." (Action at page 6). The Action also concedes that Yang, Matsushita, Miller, and Canon do not teach recited features of "changing the last-access date of an already-stored string when it is accessed". (Action at page 6). Nevertheless, the Examiner rejects claim 5 and contends that Bishop teaches maintaining a

file attribute containing information concerning the date and frequency of use of a particular file and that it is obvious to modify with Bishop so "users would be most likely to want to access files (or strings) which they had most recently accessed." (Action at page 7).

As argued in the previous Response and at the in-person interview, Applicant submits that the Examiner is incorrectly taking Official Notice.

In item 9 of the current Action, entitled Response to Arguments, the Examiner contends Canon teaches:

> reading "the date and time of registration" of a string in a dictionary . . . which inherently required that the date and time be stored when the string was stored and teaches determining whether information in a dictionary has been accessed recently enough to be valid for use . . . Applicant argues that the Examiner has incorrectly taken an Official Notice, however, the Examiner does not recall taking an Official Notice set forth in MPEP § 2144.03.

Applicant respectfully submits that the Examiner's contentions are a taking of an official notice of facts as set forth in MPEP § 2144.03:

> (i)t would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts . . . must always be supported by citation to some reference work recognized as standard in the pertinent art

and are not obviated in that the Examiner did not explicitly state such facts are an "official notice." As such the Applicant requests the Examiner provide a reference supporting the rejection, or that the rejection be withdrawn.

Conclusion

Since *prima facie* obviousness is not established and the Examiner's taking of official notice of facts is not supported, the rejection should be withdrawn and the dependent claim 5 allowed.

Item 8: : REJECTION OF CLAIM 7 FOR OBVIOUSNESS UNDER 35 U.S.C. §103 BY YANG IN VIEW OF MATSUSHITA, MILLER, CANON, BISHOP, HITACHI (JP App. Pub. Number Sho 61-32186) and Just Syst (JP App Pub. Number Hei 9-179859).

In contrast to the cited art, dependent claim 7 recites "a situation-optimized dictionary production part for producing a situation-optimized dictionary by associating character strings that are used in a pre-existing electronic text with information relating to a user creating the electronic text, information relating to a time when the electronic text has been created, and information relating to a character string processing apparatus by which the electronic text has been created."

The Action concedes that Yang, Matsushita, Miller, Canon, and Bishop do not teach "associating character strings that are used in a pre-existing electronic text with information relating

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to a user creating the electronic text". (Action at page 7). The Action further concedes that Yang, Matsushita, Miller, Canon, Bishop, and Hitachi do not teach the features of "information relating to a character string processing apparatus by which the electronic text has been created". (Action at page 8).

The Examiner contends that Hitachi suggests:

associating character strings with the user creating the electronic text" on the translation of page 4, lines 1-9 teaches storing different content for different user so as to increase processing efficiency.

(Action at page 7).

In item 9 the Examiner contends that Hitachi teaches a "dictionary exclusive for each user and so upon a user inputting a character string the strings are matched with the content of a personal dictionary. (Action at page 10).

Applicant submits that none of the cited art, alone or in combination, teaches features including "pre-existing electronic text with information relating to a user." Hitachi merely teaches a content that the "individual user never uses is not stored in the dictionary." (Translation page 4, lines 7-8). Just Syst also does not describe any user association or pre-existing text.

Conclusion

Since *prima facie* obviousness is not established, the rejection should be withdrawn and dependent claim 7 allowed.

CONCLUSION

There being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _December 22, 2004_   By: _Paul W. Bobowiec_
                                Paul W. Bobowiec
                                Registration No. 47,431

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501